

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Itikyal (Mandal) – Kodandapur H/o.Vemula (Village) – O.P.Nos.30/95, 29/95 & 31/95 (3 O.Ps) - Sanction of decretal charges of **Rs.70,921/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 240

DATE:03.04.2009

Read:

From the Secy.to Spl.CS to Govt & CCLA, AP, Hyd.Lr.No.SRP4/1202
2008/ DT:16.01.09 along with the Special Collector, LA, Bheema Project,
Mahabubnagar dt: t:16.01.2009.

O R D E R:

The Secy.to CCLA, AP, Hyderabad has informed that the Special Collector, Land Acquisition, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.Nos.30/95, 29/95 & 31/95 (3 O.Ps) pertaining to Kodandapur H/o.Vemula (V) Itikyal (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the land to an extent of Acs.1-08 gts in the limits of Kodandapur H/o.Vemula (V) of Itikyal (M) of Mahabubnagar District by fixing the market value @Rs.12,000/- per acre vide Award No.9/93, dt:05.03.93 for the purpose of Tail Channel for Pipe under Channel at M 44.150 of PJP Right Main Canal. The awardees have filed their petitions U/s.18 of the L.A.Act. The said petition were referred to the Court of Sr.Civil Judge, Gadwal for adjudication. The Sr.Civil Judge, Narayanpet had delivered the judgment on 24.11.2004 and enhancing the market value fixed by the LAO from Rs.12,000/- to Rs.37,000/- per acre. Aggrieved with market value enhanced by the Lower Court, the SDC, LA, PJP, Gadwal has filed appeals before the Hon'ble H.C of A.P, Hyderabad against the judgment of the Sr.Civil Judge, Gadwal. The Hon'ble H.C of A.P, Hyd has granted interim stay orders and directed to deposit half of the decretal charges. Accordingly, an amount of Rs.60,989/- was sanctioned and the same deposited in the court of the Sr.Civil Judge, Gadwal on 16.09.2005. Finally, the Hon'ble H.C of A.P, Hyd has dismissed the appeals on 13.11.2006 & 30.04.2007 filed by the SDC, LA, PJP, Gadwal by confirming the judgments of Lower Court vide A.S.No.822-823/2005 & A.S.No.859/2005.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.70,921/- (Rupees Seventy thousand nine hundred and twenty one only)** in respect of O.P.Nos.30/95, 29/95 & 31/95 (total 3 O.Ps) pertaining to Kodandapur H/o.Vemula (V) Itikyal (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – S.H (27) – Canals and Distribution – 530 – Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the proposal requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.1047/F2(2)/2009-1, dated 25.03.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar.

The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.3588/LA.III(A2)/2009

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER